

EXHIBIT A

HOWLETT v. CITY OF WARREN, ET AL.

DESHEILA HOWLETT

December 27, 2017

Prepared for you by



Bingham Farms/Southfield • Grand Rapids
Ann Arbor • Detroit • Flint • Jackson • Lansing • Mt. Clemens • Saginaw • Troy

DESHEILA HOWLETT
December 27, 2017

| | | | |
|----|--|----|---|
| | Page 1 | | Page 3 |
| 1 | UNITED STATES DISTRICT COURT | 1 | ETHAN VINSON |
| 2 | EASTERN DISTRICT OF MICHIGAN | 2 | City of Warren, City Attorney's Office |
| 3 | SOUTHERN DIVISION | 3 | One City Square |
| 4 | | 4 | Suite 400 |
| 5 | DESHEILA C. HOWLETT, | 5 | Warren, Michigan 48093 |
| 6 | Plaintiff, | 6 | 586.574.4671 |
| 7 | vs. Case No. 17-11260 | 7 | evinson@cityofwarren.org |
| 8 | Hon. Terence G. Berg | 8 | Co-counsel appearing on behalf of the Defendants. |
| 9 | CITY OF WARREN, COMMISSIONER Mag. R. Steven Whalen | 9 | |
| 10 | JERE GREEN, acting in his | 10 | ALSO PRESENT: |
| 11 | individual capacity, LT. LAWRENCE | 11 | Justin Dloski, Video Technician |
| 12 | GARDNER, SHAWN JOHNSON, DAWN | 12 | Mark Simlar |
| 13 | McLANE, BARBARA BEYER, ANWAR KHAN, | 13 | |
| 14 | DARRIN LABIN, WILLIAM ROSS, KEVIN | 14 | |
| 15 | BARNHILL, PAUL HOUTOS, SCOTT TAYLOR, | 15 | |
| 16 | Defendants. | 16 | |
| 17 | _____ | 17 | |
| 18 | | 18 | |
| 19 | | 19 | |
| 20 | The Videotaped Deposition of DESHEILA HOWLETT, | 20 | |
| 21 | Taken at 333 West Fort Street, 15th Floor, | 21 | |
| 22 | Detroit, Michigan, | 22 | |
| 23 | Commencing at 10:09 a.m., | 23 | |
| 24 | Wednesday, December 27, 2017, | 24 | |
| 25 | Before Alison C. Webster, CSR-6266, RPR. | 25 | |
| | Page 2 | | Page 4 |
| 1 | APPEARANCES: | 1 | TABLE OF CONTENTS |
| 2 | | 2 | |
| 3 | LEONARD MUNGO | 3 | Witness |
| 4 | The Mungo Law Firm, P.L.C. | 4 | DESHEILA HOWLETT |
| 5 | 333 West Fort Street | 5 | |
| 6 | Suite 1500 | 6 | EXAMINATION |
| 7 | Detroit, Michigan 48226 | 7 | BY MR. ACHO: |
| 8 | 313.963.0407 | 8 | EXAMINATION |
| 9 | mungol16@msn.com | 9 | BY MR. MUNGO: |
| 10 | Appearing on behalf of the Plaintiff. | 10 | RE-EXAMINATION |
| 11 | | 11 | BY MR. ACHO: |
| 12 | JAMES R. ACHO | 12 | |
| 13 | ELIZABETH RAE-O'DONNELL | 13 | EXHIBITS |
| 14 | Cummings, McClorey, Davis & Acho, P.L.C. | 14 | |
| 15 | 17436 College Parkway | 15 | Exhibit |
| 16 | Livonia, Michigan 48152 | 16 | |
| 17 | 734.261.2400 | 17 | (Exhibits attached to transcript.) |
| 18 | jacho@cmda-law.com | 18 | |
| 19 | erae@cmda-law.com | 19 | DEPOSITION EXHIBIT 1 |
| 20 | Appearing on behalf of the Defendants. | 20 | DEPOSITION EXHIBIT 2 |
| 21 | | 21 | DEPOSITION EXHIBIT 3 |
| 22 | | 22 | DEPOSITION EXHIBIT 4 |
| 23 | | 23 | DEPOSITION EXHIBIT 5 |
| 24 | | 24 | DEPOSITION EXHIBIT 6 |
| 25 | | 25 | |

DESHEILA HOWLETT
December 27, 2017

| | |
|---|---|
| <p style="text-align: center;">Page 177</p> <p>1 A. No. 2 Q. You and Roland Bell would joke with each other; right? 3 A. Roland Bell would bring me diapers for my Goddaughter. 4 Q. Right. For – in fact, he brought you diapers and 5 formula when he thought you were adopting that child, 6 did he not? 7 A. Yes, and I also gave him money when his son died. 8 Q. Five to ten times, though, he and his wife brought you 9 diapers and formula, did they not? 10 A. Yes. 11 Q. And Roland Bell coaches an all-black football team, 12 doesn't he? 13 A. Yes. 14 Q. So this isn't like a white guy that dislikes black 15 people, is it? 16 A. It comes from the people that are closest to you. The 17 people who you talk to are the ones that are doing 18 these things. 19 Q. But he was joking around with you, wasn't he? 20 MR. MUNGO: Objection, assumes a fact not 21 in evidence. 22 BY MR. ACHO: 23 Q. Let me ask you this: This guy brings diapers and 24 formula to your house five to ten times. 25 A. Not to my house, but...</p> | <p style="text-align: center;">Page 179</p> <p>1 just driving at, he was just joking with you, wasn't 2 he? 3 A. Okay. 4 MR. MUNGO: You -- you -- you -- 5 A. I said -- 6 MR. MUNGO: He's asking you a question. 7 You have to answer. 8 A. I said that I was offended and I said that it wasn't a 9 joke to me. 10 BY MR. ACHO: 11 Q. All right. Did you say, Roland, I'm offended by that? 12 A. No. 13 Q. If you had such a relationship with him, why wouldn't 14 you have said that to him if you were, in fact, 15 offended? 16 A. I had become in habit of being offended and not 17 addressing it all the time, just allowing things to 18 kind of roll off so that I wouldn't hinder the few, 19 you know, occasions that I had to talk with certain 20 people. 21 Q. Was anyone else present when Bell allegedly made that 22 comment? 23 A. No. 24 Q. Isn't it true that after that comment, you and Bell 25 continued on to be friends and joke with each other?</p> |
| <p style="text-align: center;">Page 178</p> <p>1 Q. I'm sorry, to you. Because the understanding in the 2 department was that you were adopting a child. Do you 3 believe that his comment to you was anything other 4 than a joke? 5 A. First and foremost, working in the jail, I needed the 6 guys to know that I wasn't fully fit, that I was 7 hurting that day, so I let them know that I had had 8 the procedure done to make sure that they are extra 9 aware and pay attention to me on the floor for that 10 day. 11 So in saying that, it's a personal female 12 thing, but if I'm not walking fully brisk and all of 13 that, so then just leave it at that. Why do I have to 14 be getting banged up by a big, black dick to be 15 walking tenderly when I just told you I just had a 16 medical procedure. 17 Q. Because he was making a joke, wasn't he? 18 A. Okay. 19 Q. Didn't you and Bell used to joke with each other all 20 the time? 21 A. Not in an offensive manner. 22 Q. Didn't you and Bell used to joke with each other all 23 the time? 24 A. We had a casual relationship. 25 Q. So you may have interpreted it as offensive, but I'm</p> | <p style="text-align: center;">Page 180</p> <p>1 A. Yes. 2 Q. And he brought you diapers and formula after that. 3 A. Yes. 4 Q. And you never complained to HR or anyone else about 5 this alleged comment from Roland Bell; correct? 6 A. No. 7 Q. He's a good guy, you would agree? 8 A. He has his problems, but he's fine. 9 Q. 13(h), "Defendant Arthur Gill, white male, former 10 sergeant, removed plaintiff from her day shift in 11 favor of a similarly situated white female officer, 12 despite the fact that the white female officer had 13 less seniority than plaintiff who was entitled to fill 14 that position based upon her higher seniority." 15 Now, you say Defendant Arthur Gill is a 16 former sergeant. Was he removed as a sergeant or is 17 he retired? Do you know? 18 A. I don't know his status, if he fired or quit or 19 retired, but he's just not there at this time. 20 Q. Okay. And how long ago did Arthur Gill leave the 21 Warren Police Department? 22 A. It's been a couple of years. 23 Q. Okay. This specific allegation, can you tell me about 24 this incident? 25 A. That's when I was hit by the drunk driver.</p> |

**US
LEGAL
SUPPORT**

The Power of Commitment™

Pages 177 to 180

DESHEILA HOWLETT
December 27, 2017

| | |
|---|---|
| <p style="text-align: center;">Page 181</p> <p>1 Q. In 2011? 2 A. 5-5 of 2011, Cinco de Mayo, and then I ended up being 3 off for the four months, and when I came back, I got 4 put on midnight shift, but Krystal Gill, who used to 5 be Krystal Gogo, his wife, who has a year less 6 seniority than me, was allowed to have the day shift 7 position. 8 Q. Could it have been simply a case of nepotism and not 9 anything to do with race? 10 MR. MUNGO: Objection, assuming facts not 11 in evidence. 12 A. I'm not sure. 13 BY MR. ACHO: 14 Q. Do you have any evidence that Gill made that shift 15 change because of your sex or race? 16 A. No. I just know that after I was put on the night 17 shift I got hit by a drunk driver, and I would never 18 have been on my way to work if I wasn't bumped off my 19 proper shift. 20 Q. So did you complain to Art Gill about that? 21 A. No, I talked to Mike Sauger. 22 Q. Sauger, S-a-u-g-e-r? 23 A. Yes. 24 Q. And who is Mike Sauger? 25 A. Union president.</p> | <p style="text-align: center;">Page 183</p> <p>1 Q. It was a magnanimous thing for them to do? 2 A. Yes. 3 Q. It was a generous thing for them to do? 4 A. Yes. 5 Q. And it's because they knew that you were dealing with 6 this situation with this child. 7 A. Yes. 8 Q. Do you know whose call that was? 9 A. No. 10 Q. Did you ever thank anyone for that? 11 A. I don't recall. 12 Q. Dawn McLane is listed in your Complaint as a 13 defendant. There are no specific allegations in the 14 Complaint as to Dawn McLane, but I see her listed 15 individually. Can you tell me what your specific 16 allegations are against Dawn McLane? 17 A. That was just the first time that I had talked to 18 Mr. Simlar in regards to hostile work environment. 19 Q. Okay. Can you give me a little more? Because I still 20 don't know what -- 21 A. That was the situation with the man with the gun run 22 where she didn't give me any information and I made 23 the complaint. 24 Q. Okay. But that wasn't necessarily based on race, you 25 said.</p> |
| <p style="text-align: center;">Page 182</p> <p>1 Q. And what did Mike Sauger say? 2 A. That, basically, even though the language states that 3 we're carried to and from, that there was really 4 nothing he could do for me at the time because the 5 City -- we didn't have a contract with the City at 6 that time, so he really didn't want to, like, go to 7 them and bother them in my defense. 8 Q. How long were you on that shift? 9 A. Before I got hit, probably about two or three weeks. 10 Q. Okay. Did you ever complain to HR or any supervisor 11 about the shift change? 12 A. No. 13 Q. Okay. Speaking of shifts, around the time that you 14 were or the City thought that you were going to adopt 15 a child, didn't command officers reduce your workload 16 and your shift time to allow you to spend more time 17 with the child? 18 A. Reduce my workload? 19 Q. Or adjust your shift time to allow you to spend more 20 time with the child. 21 A. My times of coming and going may have been different, 22 but it still was an eight-hour shift. 23 Q. Okay. But they adjusted your going and coming time as 24 an accommodation to you; correct? 25 A. Yes.</p> | <p style="text-align: center;">Page 184</p> <p>1 A. I was asked if I thought it was based on race, and I 2 said at the time that, no, I didn't. 3 Q. Okay. So is there any other reason Ms. McLane is 4 listed here as a defendant? 5 A. No. 6 Q. Speaking of Mr. Simlar, he has always been pleasant to 7 deal with, has he not? 8 A. Yes. 9 Q. And has always been willing to do the right thing on 10 behalf of the City and the department; correct? 11 A. From my experience. I have met him twice, so yes. 12 Q. Okay. But both times, he asked you if you wanted 13 things done; correct? 14 A. Yes. 15 Q. And both times you told him you did not; correct? 16 A. In a crying, fearful manner, yes. 17 Q. Okay. And who were you afraid of? 18 A. Retribution. 19 Q. Do you remember a time when Mr. Simlar set up an 20 appointment for you with a psychologist and you did 21 not show up? 22 A. Yes. 23 Q. Okay. Why didn't you show up? 24 A. The psychiatrist that he had call me, or psychologist, 25 she was talking to me over the phone, and she said</p> |